

I, Julie Elkinton, hereby declare:

3. After the version of Gentle Glide that is currently on the market (“New Gentle Glide”) was launched, Playtex was not aware of any advertisements or

promotional materials comparing the leakage protection of Tampax Pearl to “Playtex Gentle Glide” or “the next leading brand” until March 2008.

4. On or about March 3, 2008, P&G began airing television advertisements (“March 2008 Ads”) claiming that its New Pearl plastic tampon “protects even better than the next leading brand.” It is my understanding that the ad attached as Exhibit A also ran in the Washington Post on March 2, 2008, stating that “Women choose Tampax 2 to 1 ... The tampon with unique built-in backup protection.”

5. Playtex’s first knowledge of the March 2008 Ads claiming that the New Pearl plastic tampon “protects even better than the next leading brand” was on March 4, 2008.

6. When the March 2008 Ads aired, Playtex’s New Gentle Glide was, and continues to be, the “next leading brand.”

7. On or about May 1, 2008, P&G ran a print ad in Seventeen Magazine that stated, “a leak can ruin everything” and “don’t be fooled by look-alikes. Look before you leak.” A true and correct copy of the May 2008 ad is attached as Exhibit B.

8. It is my understanding that P&G ran a print ad in the Washington Post on or about May 4, 2008 claiming that the New Pearl plastic tampons “give you more leak free periods than the next leading brand.” The same ad is scheduled to run on or about June 1, 2008. A true and correct copy of the ad is attached as Exhibit C.

9. It is my understanding that on or about May 4, 2008 P&G also ran a print ad in the Washington Post that stated, “look before you leak” and “not all products are created equal.” A true and correct copy of the ad is attached as Exhibit D.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct, to the best of my knowledge.

Dated: May 28, 2008

  
\_\_\_\_\_  
Julie Elkinton

## EXHIBIT A



# Women choose TAMPAX®

## 2 to 1\*

Find out why.

Purchase Tampax today and save.



The tampon with unique built-in backup® protection.

\*Based on sales volume vs. the next leading brand.

©2008 P&G

MANUFACTURER COUPON

EXPIRATION DATE: 03/31/08

### \$100 Off

any two (2) Tampax®  
Tampax Compak Pearl  
or Tampax Pearl  
(18ct or higher)



**P&G brandSAVER**

**CONSUMER:** Redeem ONLY by purchasing the brand size(s) indicated. May not be reproduced. Void if transferred to any person, firm, or group prior to store redemption. You may pay any sales tax. Any other use constitutes fraud. **LIMIT ONE COUPON PER PURCHASE.**

**DEALER:** Sending to Procter & Gamble, 2150 Sunnybrook Drive, Cincinnati, OH 45237, signifies compliance with "Requirements for Proper Coupon Redemption." Copy available by writing to the above address. Cash Value 1/100 of 1¢. Procter & Gamble 080302

953540 ©2008 P&G



MANUFACTURER COUPON

EXPIRATION DATE: 03/31/08

### 20¢ Off

any one (1) Always®  
Pads, Clean or Feminine  
Cleansing Cloths

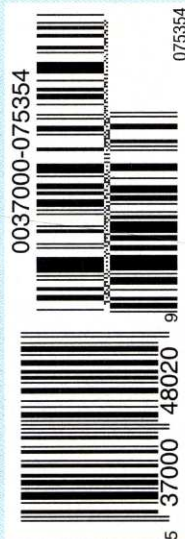


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MANUFACTURER COUPON

EXPIRATION DATE: 03/31/08

### \$100 Off

any two (2) Always®  
Pantiliners  
(34ct or higher)



**P&G brandSAVER**

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## EXHIBIT B

A leak can ruin everything.

Why risk it?  
Only Tampax  
has LEAKGUARD™  
Built-in Backup®  
to help stop leaks  
before they start.  
So don't be fooled  
by look-alikes.

Look before  
you leak.



LeakGuard Braid



LeakGuard Skirt

## EXHIBIT C



A leak can ruin everything.

Why risk it? Only  
Tampax Pearl Plastic®  
has LEAKGUARD™ protection  
built in to give you more  
leak-free periods than the  
next leading brand.  
So look before  
you leak.



LeakGuard  
Braid and Core

For more information on Tampax Pearl, go to [www.beinggirl.com](http://www.beinggirl.com)



## EXHIBIT D



# look before you leak

Messing with your feminine protection is risky business—  
not all products are created equal. Tampax® and Always®  
have LeakGuard™—unique built-in backup protection that helps  
stop leaks before they happen.

Look to LeakGuard™ for powerful protection against leaks.

*always*  
unique LeakGuard  
core and barriers



*always*  
ultra thin

*always*  
dri-liners



**TAMPAX  
PEARL**

unique LeakGuard braid

**TAMPAX**

unique LeakGuard skirt

Save today on Tampax and Always.

MANUFACTURER COUPON

EXPIRATION DATE: 05/31/08

**\$1.00 Off**

any two (2) Tampax®  
Tampax Compak Pearl  
or Tampax Pearl  
(18ct or higher)

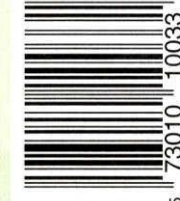


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MANUFACTURER COUPON

EXPIRATION DATE: 05/31/08

**\$1.00 Off**

any two (2) Always®  
Pad, Clean or Feminine  
Cleansing Cloths

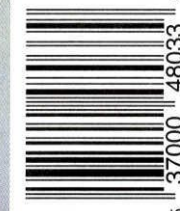


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MANUFACTURER COUPON

EXPIRATION DATE: 05/31/08

**\$1.00 Off**

any two (2) Always®  
Pantliner  
(34ct or higher)

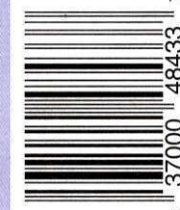


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